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Washington, DC 20460

Attention: Ms. Linda Stewart (WH 527)

Subject: Contract No. 68-01-6769 Work Assignment No. 85-429  
(GCA 1-625-429)

Enforcement Confidential

Gentlemen:

In accordance with the reporting requirements of the subject Work Assignment, enclosed herewith are one (1) copy each of two Letter Reports prepared hereunder entitled

"Review of Contingency Plan for the Chemical Processors, Inc.  
Pier 91 Site" and

"Review of Closure and Post-Closure Plan for the Reichhold  
Chemicals Corporation Site."

Very truly yours,

William J. Farino  
Contract Administration

Enclosures (2)

cc: Mr. Bruce Bakaysa  
(letter only)

Mr. Chuck Rice, Region X ✓  
(w/1 copy each)

WJF/sms

USEPA RCRA



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REVIEW OF CONTINGENCY PLAN FOR THE  
CHEMICAL PROCESSORS, INC. PIER 91 FACILITY

LETTER REPORT  
(EPA Contract No. 68-01-6769, Work Assignment 85-429)

SUMMARY

At the request of Region X, GCA has provided a technical review of the Emergency Preparedness, Prevention, and Contingency Plan for the Chemical Processors, Inc. (Chempro) Pier 91 facility located in Seattle, Washington. The Chempro Pier 91 facility is involved with bulk oil storage and waste oil processing.

GCA reviewed the Pier 91 plan relative to requirements in 40 CFR 265 Subpart D, Contingency Plans and Emergency Procedures. GCA utilized the expertise of staff regulatory specialists and engineers to cover all aspects of the technical review. The completeness and technical adequacy checklist for this plan is presented in Table 1. Deficiencies identified by GCA relative to the Contingency Plan are summarized below and detailed in the following narrative.

- No detail is provided about the emergency coordinators' actions to comply with 265.51 and 265.56 during an emergency, as required under 265.52(a).
- The plan does not describe arrangements made with the Police Department, nor does it describe the emergency services to be provided by Crowley Environmental (under contract to Chempro), nor does it mention any involvement of local hospitals, as required under 265.52(c).

TABLE 1. COMPLETENESS AND TECHNICAL ADEQUACY CHECKLIST FOR CONTINGENCY PLAN AND EMERGENCY PROCEDURES UNDER 40 CFR PART 265

Regulation	Technical topic	Is the regulation applicable to the facility	Was the regulation addressed	Is the applicant's plan technically adequate	Comments
<u>Subpart D - Contingency Plan and Emergency Procedures</u>					
265.50	Applicability of subpart to this facility.	Yes	Yes	N/A	The ChemPro Pier 91 facility must comply with the various regulations under this subpart.
265.51(a)	Contingency plan must minimize hazards to human health and the environment.	Yes	Yes	No	Because of deficiencies listed below, the Pier 91 facility does not fully minimize the hazards to human health and the environment.
265.51(b)	Emergency procedures implementation.	Yes	Yes	No	It should be stated that the plan will be implemented in the case of a fire, explosion, or release of hazardous wastes.
265.52(a)	Actions of facility personnel.	Yes	Yes	No	The plan provides no descriptions of the emergency coordinator's possible actions nor a breakdown of how the facility's personnel will perform various emergency procedures.
265.52(b)	Facility may amend its own emergency procedures plan for the purpose of compliance with this part.	Yes	Yes	N/A	Part of Pier 91's contingency plan was their SPCC Plan. This is allowable, but the current plan does not meet the requirements of this Subpart.

(continued)

TABLE 1. (Continued)

Regulation	Technical topic	Is the regulation applicable to the facility	Was the regulation addressed	Is the applicant's plan technically adequate	Comments
265.52(c)	Arrangements with local officials.	Yes	Yes	No	The plan does not describe the arrangements made with the police, and medical response teams. No mention is made of the involvement of local hospitals. Crowley Environmental is under contract, but does not describe their responsibilities.
265.52(d)	Names, addresses, and phone numbers of people qualified to act as emergency coordinator.	Yes	Yes	No	Lists five names and phone numbers but does not provide their addresses nor second phone numbers for two names.
265.52(e)	Emergency equipment location map and capabilities.	Yes	Yes	No	No map is provided that locates the emergency equipment other than drainage. There is no description of emergency equipment and its capabilities other than for drainage.
265.52(f)	Descriptions of primary and alternate evacuation routes and evacuation signals.	Yes	No	No	No evacuation plan or signal to initiate evacuation is included in the plan.
265.53(a)(b)	Contingency plan copy maintained at facility, police and fire departments, hospitals, and state and local response teams.	Yes	Yes	No	The plan stated that the SPCC plan would be maintained on the facility but did not mention whether the complete contingency plan would be included. No indication that plan was sent to local hospitals or Fire Department.

(continued)

TABLE 1. (Continued)

Regulation	Technical topic	Is the regulation applicable to the facility	Was the regulation addressed	Is the applicant's plan technically adequate	Comments
265.54	Amending contingency plan.	Yes	Yes	No	Amending the SPCC plan was mentioned for the case of new construction only. There was no mention of amending the complete plan.
265.55	Availability of the emergency coordinator.	Yes	No	N/A	The plan lists five people who are designated to be emergency coordinators. Based on this number it may be assumed that there will always be someone available.
265.56(a)(1)(2)	Activate internal alarm and notify appropriate State and local officials.	Yes	Yes	No	In the event of a spill it is not stated that an internal alarm will be sounded.
265.56(b)	Emergency coordinator must identify the character, source, amount, and extent of materials released.	Yes	No	N/A	Within the Pier 91 contingency plan there is no description of the emergency coordinator's actions during an emergency.
265.56(c)	Emergency coordinator must assess possible hazards to human health or the environment.	Yes	No	N/A	See comments for 265.56(b).
265.56(d)(1)(2)	Emergency coordinator must contact local authorities if need be, and notify the EPA on-scene coordinator.	Yes	No	N/A	See comments for 265.56(b).
265.56(e)	Control, eliminate or minimize hazardous situations.	Yes	No	N/A	See comments for 265.56(b).

(continued)



TABLE 1. (Continued)

Regulation	Technical topic	Is the regulation applicable to the facility	Was the regulation addressed	Is the applicant's plan technically adequate	Comments
265.56(f)	Once facility stops operation the emergency coordinator must monitor the system for leaks, ruptures, gas buildup, etc.	Yes	No	N/A	See comments for 265.56(b).
265.56(h)(1)	Compatibility of wastes.	Yes	No	N/A	See comments for 265.56(b).
265.56(h)(2)	Emergency equipment listed in contingency plan will be clean prior to resuming operations.	Yes	No	N/A	See comments for 265.56(b).
265.56(i)	Regional EPA administrator and appropriate local officials must be notified when facility is in compliance with 265.56(h).	Yes	No	N/A	See comments for 265.56(b).
265.56(j)	Regional EPA administrator must receive report within 15 days after incident.	Yes	No	N/A	See comments for 265.56(b).

N/A = Not applicable.

- The addresses of the five potential emergency coordinators are not provided as required under 256.52(d). Additionally, second phone numbers are not provided for two of the potential emergency coordinators.
- Emergency equipment other than drainage is not located on the facility map and there is no description of emergency equipment and its capabilities other than for drainage as required under 265.52(e).
- No evacuation plan is provided and no signal to initiate evacuation is mentioned in the contingency plan as required under 265.52(f).
- The contingency plan did not mention whether any local hospitals or the Fire Dept. had a copy of the plan as required under 265.53.
- The contingency plan did not state that it will be amended as required under 265.54.

#### GCA COMMENTS ON THE COMPLETENESS AND TECHNICAL ADEQUACY OF THE PROPOSED CONTINGENCY PLAN

The following narrative lists the requirements of 40 CFR 265 subpart D and identifies any deficiencies in the Chemical Processors-Pier 91 Contingency Plan.

#### Subpart D - Contingency Plan and Emergency Procedures

##### Applicability (265.50)--

Under this regulation the Chempro Pier 91 facility must submit a contingency plan and emergency procedures that is in compliance with subpart D. Specific requirements of Subpart D are discussed below.

##### Purpose and Implementation of Contingency Plan (265.51(a)(b))--

This regulation states that each owner or operator must have a contingency plan for his facility that minimizes hazards to human health and the environment. This plan must be carried out immediately in the event of a fire, explosion, or release of hazardous waste which could threaten human health or the environment. The Chempro Pier 91 facility has prepared a contingency plan for their facility. Part of this plan is a previously

prepared Spill Prevention, Control, and Cleanup Plan (SPCC) in which it is stated that the SPCC plan will be implemented in the case of an oil spill. Due to deficiencies and omissions, Chempro's contingency plan may not fully minimize the threat to human health and the environment. Specific deficiencies are described below.

#### Emergency Actions (265.52(a))--

This regulation requires that the contingency plan describe the actions to be taken by facility personnel during an emergency release situation. The Chempro Pier 91 plan includes a general description of immediate actions taken for a fire or explosion and a different set of actions for an oil spill. Neither of these descriptions provide sufficient detail regarding the actions. Specifically, in the case of an oil spill on dock area the plan merely refers to the "Coast Guard Operations Manual" for the necessary actions.

This section requires that the actions described be in compliance with Section 265.56. In general, there is little detail provided about the actions of the emergency coordinator. Additional details on requirements of 265.52(a) are addressed under 265.56.

#### Applicability of Other Emergency Plans (265.52(b))--

This regulation states that if the facility has already prepared some type of spill prevention report or other contingency plan, then this plan need only be amended where applicable to be in compliance with subpart D. Part of the Chempro Pier 91 contingency plan is a Spill Prevention, Control and Countermeasure (SPCC) Plan. The adequacy of the SPCC plan is assessed below according to Subpart D concurrently with all other aspects of the contingency plan.

#### Emergency Service Arrangement (265.52(c))--

This regulation requires that the contingency plan describe special arrangements agreed to by local officials and emergency response teams (i.e., fire department, police, hospitals, state agencies, etc.) to coordinate emergency services. The Chemical Processors Pier 91 contingency plan states that the Seattle Fire Department regularly inspects the facility and has a



copy of a plan of the facility and that Crowley Environmental is under contract to provide a minimum response time of 1/2 hour and a maximum response time of one hour. The plan however, does not describe what Crowley Environmental is under contract for. Also, the plan does not describe what arrangements have been made to familiarize the fire department with the potential hazards of the Pier 91 facility (such as what if any special fire fighting equipment may be required). The other agencies which may require notification are listed along with their phone numbers but there is no description of what arrangements have been made. In addition, the plan does not list any local hospitals. Hospital officials should be made aware of any special needs, medicine, or equipment that may be necessary to aid victims of a fire, explosion, or release at the Pier 91 facility.

The plan does not describe the required arrangements with local response groups under regulation (265.37) in sufficient detail for any of the listed groups. Details should be listed of how the local groups were familiarized with the facility to enable each group to provide the best possible emergency care.

#### Emergency Coordinator Information (265.52(d))--

This regulation requires that the contingency plan list the names, addresses, and phone numbers (office and home) of all persons capable of acting as emergency coordinator. The Pier 91 contingency plan names the five possible emergency coordinators along with their phone numbers. Two phone numbers are provided for three of the possibilities as required, but for the remaining two potential emergency coordinators only one number is provided. Also, the Pier 91 plan is deficient in not providing addresses. In order for this plan to comply with this regulation the addresses of the potential emergency coordinators and the missing phone numbers should be provided. It may also be beneficial for job titles or duties to be included for these personnel.

#### Emergency Equipment (265.52(e))--

This regulation requires that the contingency plan include a list of all emergency equipment at the facility and its capabilities along with a map locating the equipment. The Pier 91 contingency plan does provide a list of

emergency equipment and a map of the facility. However, the map of the facility only locates the drainage facilities and not the remaining emergency equipment as required. Also, there is no description of the equipment or its capabilities except for the drainage facilities. Moreover, the list does not quantify the number of fire extinguishers, pumps and hoses at the Pier 91 facility.

#### Evacuation Plan (265.52(f))--

This regulation requires that the contingency plan include a description of primary and alternate evacuation routes and signals used to initiate an evacuation. The Pier 91 contingency plan provided to GCA makes no mention of an evacuation plan or a signal to initiate evacuation. Without this information, the contingency plan is deficient of regulation (265.52(f)).

#### Distribution of Contingency Plan (265.53(a)(b))--

This regulation requires that a copy of the contingency plan be maintained at the facility and be submitted to all local police departments, fire departments, hospitals, and local emergency response teams that may be called upon to provide emergency services. The Pier 91 plan states that the Seattle Police Department and Washington State Emergency Response Team are in receipt of this plan. It is also stated that a copy of the Spill Prevention, Control and Cleanup plan which is a part of this contingency plan will be kept on the facility. However it does not state that a copy of the complete contingency plan will be maintained at the facility. It is also not stated whether a copy of the plan is at the Seattle Fire Department or at a local hospital.

#### Amendment of Contingency Plan (265.54)--

This regulation states the cases for which Chempro Pier 91 would be required to revise their contingency plan. The contingency plan states that the plan will be amended within 6 months after any change in the facility's design, construction, operation or maintenance which would materially affect its potential for an oil spill. Other issues concerning changes to the contingency plan are not addressed as required by this standard.

Emergency Coordinator (265.55)--

This regulation states that an emergency coordinator must be onsite or on call at all times. The Pier 91 contingency plan did not specifically address this requirement, however, five people were listed as qualified emergency coordinators. Based on the size of this list, it appears that there would be some one available at all times.

Alarm Activation and Notification of Officials (265.56(a))--

This regulation states that the emergency coordinator must activate the internal alarm to warn personnel and also notify appropriate state and local agencies in the event of an emergency situation. The Pier 91 contingency plan states that telephone No. 911 will be called thereby notifying the local agencies. In the case of fire or explosion it is stated that the internal alarm will be sounded. This should be extended to include other emergency situations such as a spill of hazardous material. Also, the role of the emergency coordinator in this phase should be clarified.

Emergency Procedures (256.56 (b)-(i))--

These regulations further define responsibilities of the emergency coordinator in an emergency situation. Within the Pier 91 contingency plan provided to GCA, there is no description of the emergency coordinator's actions during an emergency. As such, it is not possible for GCA to determine whether Chempro intends to comply with this regulation. Detailed descriptions of the emergency coordinator's actions to satisfy these regulations must be provided to assure compliance.

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